

TOWN OF TUPPER LAKE REGULAR TOWN BOARD MEETING

August 12, 2013

Roll Call: Supervisor Roger Amell
 Councilwoman Kathleen Lefebvre
 Councilman John Quinn
 Councilwoman Patricia Littlefield
 Councilman Gerald Fletcher

Recording Secretary: Laurie J Fuller

Press: Dan McClelland – Tupper Lake Free Press
 Shaun Kittle – Adirondack Daily Enterprise

Also: Paul O’Leary – Assessor/Code Officer
 Mike Fritts – Youth Activity Director
 William Dechene – Highway Superintendent
 Mike Gaff- Little Wolf Caretaker

Guest: Ron Belleville Pete Edwards
 Barbara Dwyer Gary Beaudette
 Eric Shaheen Pam Savard
 Tom Proulx Mike Dechene
 Bill Wade Steve Gagnon
 Sam Gaff

Supervisor Amell called regular town board meeting to order at 4:00 p.m. opening with the Pledge of Allegiance.

1. Ron Belleville
 NYMIR update:

Ron Belleville from Belleville & Associates Insurance is the broker of records for the Towns NYMIR insurance. Ron meets with Supervisor Amell and Highway Superintendent Bill Dechene once a year to make sure all property and equipment schedules are current, including appropriate values. Every five years NYMIR does an appraisal on town owned property. A valuation comparison report for each building was given to each board member. The town has approximately five million dollars for coverage. The town paid a 10% initiation fee to get into NYMIR originally, the last five years the town has received that money back. Ron also stated the insurance cooperative is moving to a slightly different property evaluation approach where property values would increase two to three percent each year so you do not get a big increase all at once. Board members thanked Ron for the update.

2. Tupper Lake Country Club Board:

Eric Shaheen spoke on behalf of the Tupper Lake Country Club Board, the 5- year lease between the Town and the Country Club will be due to renew October 15, 2013. They are looking to extend the lease from a 5-year lease to a 7-year lease which will be the end of their bond payment in 2020. The Country Club Board members attended a Town Board meeting back in February of this year asking for a longer lease agreement.

Supervisor Amell and Councilman Quinn and three board members from the Tupper Lake Country Club meet with Town Attorney Kirk Gagnier to review all aspects of a longer lease, and to make sure it is in compliance with the State Comptroller’s office.

A Motion to move forward and have Town Attorney Kirk Gagnier draft a 7- year lease agreement between the Town and Tupper Lake Country Club for review was made by Councilman Quinn.

Seconded by Councilwoman Lefebvre
 All Town Board Members voted AYE 5/0 Amell, Quinn, Lefebvre, Littlefield & Fletcher

3. Barbara Dwyer, CPA
Internal Audit report:

Barbara Dwyer a certified public accountant from Lake Placid was hired to do an Internal Audit of the Town's books. She spent two days working with Supervisor Amell and Bookkeeper Mary Sue Wolson. Barbara stated she has performed the internal audit of the current accounting function of the Town of Tupper Lake in relation to the New York State Comptroller's Report for the period covered January 1, 2008 to June 2009, which was agreed to by the audit committee and management of the Town of Tupper Lake, solely to assist you in evaluating the progress made in the accounting function since the New York State Comptroller's review of the fiscal oversight and internal controls over selected financial activities of the Town of Tupper Lake for the fiscal year ended December 31, 2012. The Town of Tupper Lake is responsible for the accounting function of the Town and any financial reports issued concerning the Town's accounting. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in report.

Overall she thinks the Town of Tupper Lake has been very responsive to taking corrective actions in the wake of the New York State Comptroller's Report on the Town of Tupper Lake's fiscal oversight and internal controls over selected financial activities. There has been a personnel change which has brought on a more qualified accounting employee for the Town. New and better municipal accounting software has been installed and is being utilized. The Town Board is better informed on the financial activities of the Town and has better basis on which to formulate financial decisions. More checks and balances have been instituted to monitor cash receipts, cash disbursements, employee hours, accrual of leave benefits, fuel usage and sensitive documents usage. A purchasing and procurement policy has been adopted and appears to be in use.

Supervisor Amell stated that many of the improvements she found were put into place directly after the state audit.

Board members thanked Barbara.

4. Approve minutes:

Town Clerk provided each board member a drafted copy of minutes for meetings dated July 2nd & July 8th 2013 for approval.

Motion to approve minutes as written for meetings dated July 2nd & July 8th 2013 was made by Councilwoman Lefebvre.

Seconded by Councilman Fletcher
All Town Board Members voted 4- AYE/ 1- abstain
AYE- Amell, Lefebvre, Littlefield & Fletcher
ABSTAIN – Quinn (not present at time of meetings)

5. Approve Code Officer's report:

Monthly Report July 2013

8 Building Permits issued in July

Completed 19 field inspections

July 2013 miles logged 136

Please contact me with any questions or concerns.

Respectfully submitted:

Paul O’Leary
 Code Enforcement Officer
 Town of Tupper Lake

Motion to approve Code Officer’s Monthly report was made by Councilwoman Littlefield

Seconded by Councilwoman Lefebvre
 All Town Board Members voted AYE 5/0 Amell, Lefebvre, Littlefield, Quinn & Fletcher

6. Approve Dog Control Officer’s report:

Town of Tupper Lake
 Dog Control Report

For the Month of: July

Date: 8-4-2013

Complaints Received	8
Complaints Answered	8
Dogs Captured	1
Dogs return to owner	3
Dogs turned over to DCO	1
Dogs transported to Humane Society	0
Dogs Adopted	0
Dogs Euthonized	0
Dogs treated by Vet	0
Dangerous Dog Complaints	0
Tickets issued	0

Mileage 35 DCO Shaheen R Shaheen

Report prepared by Shaheen R Shaheen DCO

Motion to approve Dog Control Officer’s Monthly report was made by Councilman Quinn

Seconded by Councilwoman Littlefield
 All Town Board Members voted AYE 5/0 Amell, Lefebvre, Quinn, Littlefield & Fletcher

7. Approve Youth Activity Director’s report:

Recreation Report for 08-12-13

BEACHFEST – I’m sure you’ve all been to the beach to see the sand sculptor. Mr. Singer was great and said the sand/clay mix donated by Mitchell Stone Products, LLC was the best he had ever worked with. It was a long, fun day but well worth it. The kid’s paintball triathlon went off without a hitch and families spent most the day building their sandcastles for the contest. I think it was a successful collaboration between the town and the chamber and I look forward to working with Michelle on future events.

SUMMER – The season is beginning to wind down. Soccer and day camp end this week. We went with a day counselor and a half less this year and that worked out fine.

CROSS COUNTRY SKIING – Although, hopefully months away, I’ve begun thinking about the upcoming season. I’m going to assemble a meeting next week for anyone interested in helping out with the season. Topics to be discussed include trail maintenance, equipment needs/wants and event planning.

FALL EVENTS – I wouldn’t mind continuing movies in the fall if there is an interest. I would need to switch the days but would be willing to do a Friday or Saturday night. I have also been talking with a couple interested volunteers in doing a Halloween themed event for mid-October. I won’t get into details quite yet.

LIFEGUARDS – We are going to start losing our guards to school and sports. Therefore the beach will start closing at 6pm.

Mike would like to publicly thank the people who donated money for pizza & popcorn & soda for movie night at the beach pavilion, those people are:

Roger Amell – Amell Logging	Tupper Lake Supply	Jessie Kavanagh
Kentile Excavating	Barry & Linda Payment	
Kavanagh Tucking	Mrs. Anonymous	
Leo LaVenture & Diana Gaff	Patricia & Kevin Littlefield	

Motion to approve Youth Activity Director’s Monthly report was made by Councilwoman Littlefield.

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 5/0 Amell, Lefebvre, Quinn, Littlefield & Fletcher

8. Approve Agreement for Expenditure of Highway Moneys:

RESOLUTION #21 – 2013

THE TOWN BOARD OF THE TOWN OF TUPPER LAKE
FRANKLIN COUNTY, NEW YORK

Agreement for the Expenditure of Highway Moneys

WHEREAS, Agreement between the Town Superintendent of the Town of Tupper Lake, Franklin County, New York and the undersigned members of the Town Board, and

WHEREAS, pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for repair and improvements of highway, and received from the State for State Aid for the repair and improvements of highways, shall be expended as follow;

WHEREAS, the following sum shall be set to be expended for permanent improvements of town highway roads commencing at Country Club Road at a distance of 3450 feet, there shall be expended not over the sum of \$53,100.00, and road commencing at Raquette River Drive at a distance of 800 feet, there shall be expended not over the sum of \$11,444.00.

BE IT RESOLVED, at the regular Town Board meeting held August 12, 2013 board members signed agreement for the expenditure of highway moneys.

Motion: Councilwoman Littlefield

Seconded: Councilwoman Lefebvre

Action: Carried 5/0 vote Amell, Lefebvre, Quinn, Littlefield & Fletcher

Date: August 12, 2013

Laurie J Fuller, Town Clerk RMC

9. Adopt Sexual Harassment Policy:

RESOLUTION #22 – 2013

OF

THE TOWN BOARD OF THE TOWN OF TUPPER LAKE,
FRANKLIN COUNTY, NEW YORK

Employment Practices (EPL): Sexual Harassment

WHEREAS, NYMIR Insurance has requested the Town adopt a Sexual Harassment Policy, and

WHEREAS, the Equal Employment Opportunity Commission defines sexual harassment as “unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature”, and

WHEREAS, submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, or; Submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer, or termination, affecting such individual, or; such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or otherwise offensive working environment, or ; Such conduct created an intimidating, hostile or offensive work environment, and

WHEREAS, sexual harassment can include abusive verbal language related to an employee’s sex, sexually oriented comments about an individual’s body that are unwelcome and/or reasonably interfere with an employee’s work performance or create an intimidating, hostile, or offensive working environment; displays of obscene printed or visual material; and physical contact, such that it unreasonably interferes with an employee’s work performance or creates an intimidating, hostile, or offensive working environment.

THEREFORE BE IT RESOLVED, at a regular Town Board meeting held August 12, 2013, Town Board members made a motion to adopt the Sexual Harassment Policy for the Town of Tupper Lake.

Date: August 12, 2013

Motion: Councilman Quinn

Seconded: Councilman Fletcher

Action: Carried 5/0 Amell, Lefebvre, Quinn, Littlefield & Fletcher

Laurie J Fuller – Town Clerk, RMC

Also NIMIR wanted in place a Complaint form for Highway Department which reads:

Request for Repair

All requests for repair must be placed in writing.

Date of Request: ____/____/____ Requesting Party: _____

Time Received Request: _____ Phone Number: _____

Location of Problem: _____

Work required:

Information received by: _____

RESOLVED

Date Started: _____

Employee's Name: _____

Date Completed: _____

Motion to approve Highway Complaint form also was made by Councilman Quinn.

Seconded by Councilman Fletcher

All Town Board Members voted AYE 5/0 Amell, Lefebvre, Quinn, Littlefield & Fletcher

10. List of items Councilman Quinn would like discuss:

Each board member was given a list of items Councilman Quinn would like discussed at the meeting.

List of items address are:

- Meeting Times - 4 pm seems to be inconvenient for the public. Public participation should be encouraged.
- Preparation and adoption of a property/building maintenance local law similar to the Town of Piercefield's local law Mr. and Mrs. Belleville shared with us.
- Scheduling use of town property. Should be one person to avoid confusion and double booking.
- End of Lake Simond Rd. The last one-quarter mile of this road is in deplorable condition and should be fixed.
- Board position on creating a new beach at Raquette Pond. We should discuss and take a position on this long recurring proposal in light of the fact that the town already operates a beach at Little Wolf.
- Preparation of a town policy manual to avoid "reinventing the wheel" whenever an issue comes up. I have to think other towns have these. I know our school district does. This may have avoided the recent and protracted sewer pump issue.

Each item was addressed and discussed by the board.

11. Approve Budget Transfers:

Town of Tupper Lake
8/12/2013

	Acct/Budget	Detail	Increase	Decrease	Revenue	Expenditure
General						
	19904	Contingency		\$1,238.01		
	10104	Town Board CE	\$100.00			
	19304	Judgments & Claims	\$1,059.41			
	75504	Celebrations	\$78.60			
	71404	Beach CE		\$2,500.00		
	71401	Beach PS	\$2,500.00			
	16204	Buildings CE		\$4,000.00		
	71804	Golf Course CE	\$4,000.00			
Sewer 5	5720	Statutory Bond Proceeds			\$111.53	
	81204	Sanitary Sewers CE				\$111.53
Sewer 17	81204	Sanitary Sewers CE	\$37.90			
	97207	Interest – Stat Bonds		\$37.90		
Water 3	83204	Source Power Pump CE	\$52.51			
	909	Fund Balance		\$52.51		
Water 15	1001	Real Property Tax			\$.01	
	83204	Source Power Pump CE				\$.01
			\$7,828.42	\$7,828.42	\$111.54	\$111.54

Motion to approve Budget Transfers as presented was made by Councilwoman Littlefield

Seconded by Councilwoman Lefebvre

All Town Board Members voted AYE 5/0 Amell, Lefebvre, Quinn, Littlefield & Fletcher

12. Approve Abstract:

Abstract of Audited Vouchers for the period 7/4/2013 thru 8/9/2013

General	\$25,025.95
Highway DA	\$11,076.74
Highway DB	\$26,149.19
Special Districts	\$1,539.82
Trust	\$79,369.01

Total \$143,160.71

Motion to approve Abstract of Audited Vouchers for the period 7/4/2013 thru 8/9/2013 in the amount of \$143,160.71 was made by Councilman Fletcher

Seconded by Councilman Quinn

All Town Board Members voted AYE 5/0 Amell, Lefebvre, Quinn, Littlefield & Fletcher

13. Mike Gaff's

Wish list for next year's Little Wolf Campground and full time employment:

Mike Gaff, Little Wolf Beach/Campground Caretaker asked board members to consider putting him on full time to do any maintenance & repairs that needs to be done on town owned buildings and still be caretaker for the campground in the summer, also Mike presented a list of items that need to be done at the campground for next season such as replace more fire places, build about 20 new picnic tables, replace some playground equipment, upgrade three of the long term sites and partition off large lot No. 12 into two, renovating bathrooms, possibility put in a coin-operated washer and dryer, replace guard rails, out in a fence to stop sand from blowing over crusher run in parking lot.

Mike also asked if campground could stay open until September 30th about 12 seasonal campers would like to stay through September.

Councilman Quinn suggested prioritizing his list.

Town board agreed to have the Supervisor's bookkeeper look into the funds to put Mike on full time, if possible campground would stay open to September 30th.

Supervisor Amell stated the State just set the tax cap at 1.66 % instead of 2.00% which will take effect in 2014, which will affect the town's budget.

14. Pete Edwards

New Groomer:

Pete Edwards from the Tupper Lake Snowmobile Club wish to speak to board members about the possibility of purchasing a reconditioned trail groomer. Pete has found two very good machines running between \$40,000 to \$50,000 depending in type of motor; a motorized drag would add another \$6,000 to \$7,000 plus a \$700.00 delivery. The town has become a paid grooming organization. The town will receive no less than \$250.00 per mile of trail from the New York State Snowmobile Association. The Tupper Lake Snowmobile Club will donate \$2,500.00 toward the cost of the new groomer.

Motion to advertise for the purchase of a reconditioned groomer, accepting bids until next Town Board meeting was made by Councilwoman Littlefield.

Seconded by Councilman Fletcher

All Town Board Members voted AYE 5/0 Amell, Lefebvre, Quinn, Littlefield & Fletcher

15. Executive Session:

Motion to enter into executive session at 6:03 p.m. to discuss Setting Pole Dam Contract was made by Councilwoman Lefebvre.

Seconded by Councilman Fletcher

All Town Board Members voted AYE, Amell, Lefebvre, Quinn, Littlefield & Fletcher

Motion to enter out of executive session at 6:44 p.m. with no action taken was made by Councilwoman Lefebvre

Seconded by Councilman Fletcher

All Town Board Members voted AYE 5/0 Amell, Lefebvre, Quinn, Littlefield & Fletcher

16. Adjourn:

Motion to adjourn at 6:45 p.m. was made by Councilwoman Lefebvre

Seconded by Councilman Quinn

All Town Board Members voted AYE 5/0 Amell, Lefebvre, Quinn, Littlefield & Fletcher

Laurie J Fuller – Town Clerk RMC